



Agenda Item Number: 2005-1-8A

BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS

Meeting Date: January 11, 2005

Department: Zoning, Building, Planning & Environmental Health
Staff Contact: Sanford Fish, Director
Julie M. Baca, Deputy County Manager,
Community Services Division

TITLE: Text Amendment to the Bernalillo County Code, Appendix A, Zoning Ordinance #213, regarding certain R-2 uses as conditional uses in the C-1 and C-2 zones and rail passenger terminals as a permissive use in the C-2, M-1 and M-2 zones.

ACTION: Introduction and motion to approve publication of proposed code amendments.

SUMMARY:

The attached ordinance revises the Zoning Code to make apartments and other multiple single-family dwellings Conditional Uses in the C-1 and C-2 zones. They are currently allowed as Permissive Uses in those zones. As such, there are no special requirements, other than obtaining approval for a Building Permit, prior to construction.

The current approach has raised several issues with concerned neighborhood groups. The density of allowable development is one concern, along with potential impacts on the road network and utility system. Making multiple dwellings Conditional rather than Permissive uses in the C-1 and C-2 zones would allow for a more detailed review of any proposed development through the Zoning Administration process, including a public hearing with notification to adjacent property owners.

The attached ordinance also revises the Zoning Code to make rail passenger terminals permissive uses in the C-2, M-1 and M-2 zones. There is currently no reference to rail passenger terminals in the zoning ordinance. With the recent discussions regarding initiating rail passenger service through the metropolitan area it was determined that the ordinance should be updated to add this as an allowable use.

Currently, bus passenger terminals are allowed beginning in the C-2 zone and continuing through the M-1 and M-2 zones. The revised language would allow bus and rail passenger terminals in these zones. Since much of the available land along the rail tracks is currently zoned M-1 or M-2, this would provide a wide range of potential sites for rail passenger facilities.

The County Planning Commission reviewed the R-2 uses amendment at their November 3, 2004, public hearing and voted unanimously to recommend approval. They will review the rail amendment at their January 12, 2005 hearing.

ATTACHMENT:

1. Proposed Code Amendments

FISCAL IMPACT

None

STAFF ANALYSIS SUMMARY**COUNTY MANAGER**

The issue regarding apartments being permissible in C1 and C2 zones has been a concern for many years. With the increase in the number of requests for this type of development, it became apparent that the Zoning Code needed to be amended. I recommend Board approval to introduce and publish the proposed amendments. TL 1/5/05

DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES

The proposed text amendment to the BC Code regarding certain R-2 uses would alleviate concerns neighborhood groups have regarding the current approach for construction of apartments and other multiple single-family dwellings. It would allow for a more detailed review of any proposed development through the Zoning administration process including notification to adjacent property owners.

The proposed text amendment to the Code regarding C-2 uses would allow rail and bus passenger terminals permissive uses in C-2, M-1 and M-2 uses, currently there is no reference to rail or bus passenger terminals in the zoning ordinance. Recommend approval to introduce and publish proposed code amendments. Julie M. Baca, 01/05/05

DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY

The proposed revisions will allow for more detailed review of multi-family projects. Recommend approval. Jdantis 12/3/04

LEGAL

Text amendment regarding multiple dwellings approved as to form. TDC 12/6/04